

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 23, 24, 34, 35, and 36 have been amended, claims 43-48 have been canceled without prejudice or disclaimer, and new claim 49 has been added. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-42 and 49 are pending and under consideration. Reconsideration is respectfully requested.

REJECTION UNDER 35 U.S.C. §112:

In the Office Action, at pages 2-3, numbered paragraph 3, claims 23, 24, and 34-36 were rejected under 35 U.S.C. §112, first paragraph, for the reasons set forth therein. This rejection is traversed and reconsideration is requested.

Claims 23 and 24 have been amended to depend from claim 1. It is respectfully submitted that, as amended, claims 23 and 24 are in accordance with paragraph [0036] of the specification, and thus are in allowable form under 35 U.S.C. §112, first paragraph.

New claim 49 recites the features of allowed claim 33, but depends from claim 12, and is in accordance with paragraph [0036] of the specification. Claims 34-36 have been amended to depend from new claim 49. Hence, claims 34-36 and 49 are submitted to be in allowable form under 35 U.S.C. §112, first paragraph.

ALLOWABLE SUBJECT MATTER:

A. In the Office Action, at pages 3-4, numbered paragraph 4, claims 1-22, 25-33 and 37-42 were allowed.

Applicants thank the Examiner for her careful review and allowance of claims 1-22, 25-33 and 37-42.

B. In the Office Action, at page 4, numbered paragraph 5, claims 23, 24 and 34-36 were objected to, but would be would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. §112, first paragraph.

As noted above, claims 23 and 24 have been amended to depend from claim 1. It is respectfully submitted that, as amended, claims 23 and 24 are in accordance with paragraph [0036] of the specification, and thus are in allowable form under 35 U.S.C. §112, first paragraph.

New claim 49 recites the features of allowed claim 33, but depends from claim 12, and is in accordance with paragraph [0036] of the specification. Claims 34-36 have been amended to depend from new claim 49. Hence, claims 34-36 and 49 are submitted to be in allowable form under 35 U.S.C. §112, first paragraph.

NEW CLAIM:

New claim 49 recites that the features of the present invention include the optical pickup of claim 1, further comprising a reflection element, wherein the reflection element which reflects a portion of each of the first and/or second light beam is installed on a path common to the first and second light beam emitted from the first and second light source, and the first photodetector monitors the amount of light emitted from the second light source by detecting a second light beam that is emitted from the second light source and is reflected by the reflection element to be incident on the first photodetector, and/or the second photodetector monitors the amount of light emitted from the first light source by detecting a first light beam that is emitted from the first light source and reflected by the reflection element to be incident upon the second photodetector.

The features of new claim 49 are in accordance with the features of claim 33, which has been allowed, except that new claim 49 depends from claim 1. Nothing in the prior art teaches or suggests such. It is submitted that this new claim distinguishes over the prior art.

CONCLUSION:

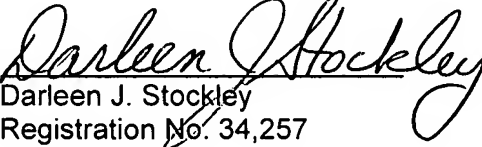
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: November 20, 2007 By: 
Darleen J. Stockley
Registration No. 34,257

1201 New York Avenue, N.W.
Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501